

December 1, 2010

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, December 1, 2010 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gibson.

3. ROLL CALL

Present: Commissioners Busch, Browning, Gibson, Uchima, Weideman and Vice-Chair Skoll.

Absent: Chairperson Horwich.

Also Present: Planning Manager Lodan, Planning Associate Gomez, Plans Examiner Noh, Associate Civil Engineer Symons, Sr. Fire Prevention Specialist Kazandjian and City Attorney Fellows.

MOTION: Commissioner Browning moved to grant Chairperson Horwich an excused absence from this meeting. The motion was seconded by Commissioner Uchima and passed by unanimous voice vote.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, Wednesday, November 24, 2010.

5. APPROVAL OF MINUTES

Commissioner Gibson offered a correction regarding the spelling of a name to the October 20, 2010 Planning Commission minutes.

MOTION: Commissioner Weideman moved to approve the October 20, 2010 Planning Commission minutes as corrected. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Horwich).

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS #1 – None.

Vice-Chair Skoll reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

8. **TIME EXTENSIONS** – None.

9. **CONTINUED HEARINGS**

9A. **CUP09-00027, DVP09-00004, PRE09-00010: RIAD ITANI (GHASSAN BADDOUR)**

Planning Commission consideration for approval of a Conditional Use Permit, Development Permit and Precise Plan of Development to allow the construction of a new mixed-use office and residential project with access via an easement with the adjacent property to the north, on property located within the Hillside Overlay District in the HBCSP-WT Zone on the east side of Hawthorne Boulevard, north of Rolling Hills Road (APN: 7547-004-040 and a portion of APN: 7547-0004-041).

Recommendation: Denial without prejudice.

Planning Associate Gomez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Vice-Chair Skoll disclosed that he visited the subject property and met with Mr. and Mrs. Brent, 3614 Eleda Drive, and Mike Rosa, the co-owner of the commercial building directly to the south of the project, but he was not influenced by these conversations and had not made a decision on the project.

Commissioner Browning disclosed that he lives in the Country Hills area but does not live within 500 feet of the project and that he has not spoken with anyone about the project and was waiting until he has heard all the testimony before forming an opinion.

Riad Itani, project architect, requested that the hearing be continued because he had not had adequate time to review the recommended conditions included in the staff report due to the Thanksgiving holiday.

A brief discussion ensued, and it was the consensus of the Commission to continue the matter after hearing testimony from the audience since so many people had made the effort to attend the meeting.

In response to Commissioner Busch's inquiry, City Attorney Fellows confirmed that people who testify this evening would not have to repeat their testimony when the matter is brought back to the Commission as their comments would be reflected in the minutes from the meeting.

Commissioner Busch later noted that people may still wish to comment when the project is brought back should the applicant make any changes.

David Brent, 3614 Eleda Drive, voiced objections to the project. He stated that the proposed structure would loom over his and his neighbors' homes and severely

impact their privacy; that it would block pastoral views to the west, south and east; that its architecture would conflict with nearby homes and the commercial center; that its massive retaining walls would make it look like a fortress; and that it would be a source of irritating noise. He further stated that the project would reduce property values and negatively impact neighbors' quality of life.

Noting that he is a past president of County Hills HOA, George Ciampa, 3304 Whiffletree Lane, stated that he is opposed to the project primarily due to the traffic hazard it would create. He explained that the driveway for the project is right next to the driveway of the adjacent commercial center on Hawthorne Boulevard and residents of the new house, as well as visitors and trash and delivery trucks, would be backing into traffic in this heavily traveled area. He suggested that the problem will be compounded when the Sunrise Assisted Living facility is eventually completed.

Commissioner Busch asked about the status of the Sunrise project, and Planning Manager Lodan advised that the building permit is still valid, but there is no construction taking place at this time and that staff continues to monitor the site.

Elaine Brent, 3614 Eleda Drive, reported that a real estate agent who assessed an earlier version of the project determined that all homes on Eleda Drive would suffer a reduction in property values and urged the Commission to consider this fact along with the intrusion on privacy and visual impact of the project when the matter is brought back.

Sandra Gilliland, 3608 Eleda Drive, expressed frustration that neighbors have had to fight various versions of this project for six years. She voiced objections to the proposed project, citing privacy impact, reduction in property values, the blockage of sunlight from rear yards on Eleda, the visual blight of massive retaining walls, and the loss of pastoral views. She noted that the only way there is room for a driveway on this lot is because the adjacent property owner granted an easement; related her understanding that the applicant will not be able to construct a fence along the driveway to block headlights from shining into homes; and questioned how vehicles and delivery trucks would be able to turn around so they do not have to back out onto Hawthorne Boulevard. She suggested that the applicant failed to do adequate research before purchasing the lot and now realizes that the lot is unbuildable since he recently offered to sell it to the Brents.

Pete Cabalse, 3602 Eleda Drive, stated that he strongly opposes the project and wanted to reiterate some of the concerns detailed in his letter dated February 8, 2010 (agenda material). He related his belief that the project's ingress/egress on northbound Hawthorne Boulevard would create a safety hazard; that the project's design was not compatible with the adjacent homogeneous residential development; that the elevated structure would intrude on the privacy of backyards and homes on Eleda Drive; and that the project would have a profound adverse impact on the value of properties in the vicinity.

Commissioner Uchima reminded speakers not to be repetitive in their comments, noting that he was well aware of concerns about this project since this was the fourth time it has been presented to the Commission.

Allan Brunmier, 3341 Candlewood Road, expressed concerns that the project's proposed 10-foot front setback would create visibility issues for traffic on Hawthorne

Boulevard, as well as for motorists exiting the adjacent Zdonek property. He also expressed concerns that the project's driveway would create another hazard for northbound traffic on Hawthorne Boulevard, which already has to contend with vehicles turning right from Rolling Hills Road and exiting from the Zdonek property.

David Henseler, president of Country Hills Homeowners Association, reported that the HOA's Board of Directors and Environmental Control Committee voted unanimously to oppose the proposed development.

Anni Lee, 3620 Eleda Drive, expressed concerns that the project could destabilize the hillside and cause a mudslide in her backyard, noting that slippage has been a problem in this area.

Cynthia Cohen, 3632 Courtney Way, stated that she is strongly opposed to the project and suggested that just because someone purchases a property doesn't mean that you can develop it.

Mark Irvine, 3625 Eleda Drive, noted his opposition to the project and urged that it be denied.

Claudia Kennedy, 3650 Blair Way, reported that she viewed the project from Eleda Drive and believes residents' concerns are valid.

Returning to the podium, Mr. Itani indicated that he had no additional comments to make at this time.

Commissioner Browning recommended that Mr. Itani review Torrance Municipal Code §91.41.4 and §91.41.7 before coming back to the Commission.

Planning Manager Lodan asked Mr. Itani to specify which conditions he had concerns about, and Mr. Itani cited Condition Nos. 17, 21, 23, 25 and 30.

Planning Manager Lodan briefly reviewed the conditions mentioned by Mr. Itani and explained that they were fairly standard conditions for this type of project.

MOTION: Commissioner Busch moved to continue the hearing to February 2, 2010. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Horwich).

Commissioner Uchima expressed frustration that very few changes have been made to this project since it was originally presented despite all the opposition and related his belief that it was a waste of everyone's time to keep rehashing the same issues. He stated that he was totally opposed to the project in its present form and encouraged the applicant to seriously consider the comments that have been made.

10. WAIVERS

10A. WAV10-00009: STEVE VU

Planning Commission consideration for approval of a Waiver of the side yard setback to retain portions of the existing dwelling in conjunction with additions

and remodeling on property located within the Small Lot, Low-Medium Overlay District in the R-2 Zone at 1916 Gramercy Avenue.

Recommendation: Approval.

Planning Associate Gomez introduced the request.

In response to Commissioner Browning's inquiry, Planning Manager Lodan advised that the applicant is not required to pay for tenant relocation because the Code only requires this when there is a conversion to condominiums.

Sharon Goddard, Sharon Designs, Inc., project designer, provided background information about the project. She stated that unlike most houses in Torrance, which have a 5-foot setback on each side, houses on this block were built on the northerly property line with a 10-foot setback on the southerly side. She explained that since the project is classified as a major remodel, the existing structure must comply with current development standards or obtain a Waiver and the applicant was requesting a Waiver because it would be an extreme hardship to have to remove a large portion from the north side of the existing home to comply with the current side yard setback requirement. She noted that the project complies with all other requirements and its design preserves the historical characteristics of the dwelling and the neighborhood.

Voicing support for the project, Commissioner Busch related his belief that it would enhance the neighborhood.

Commissioner Browning disclosed that he drove by the front and the back of the property but did not speak with anyone. He noted that he is generally not in favor of building on the property line due to fire safety issues, but recognized that this is an existing condition. He cautioned that the applicant may encounter unexpected problems when tearing into the north wall due to the age of the building.

Ms. Goddard explained that the wall is already fire-rated so plans call for it to remain intact, however, it will be checked for termites.

Commissioner Weideman requested clarification of Condition No. 4, which requires 25 square feet to be eliminated from the structure. Planning Manager Lodan advised that the project must comply with the 0.50 limitation on the FAR (floor area ratio) or it will require approval of a Planning Commission Review (PCR), which is a different type of permit.

Ms. Goddard confirmed that the elimination of the 25 square feet would not be a problem.

Commissioner Weideman expressed support for granting the Waiver because as noted in the staff report, the project retains an existing non-conforming setback and does not worsen that condition. He noted that he is strongly in favor of preserving the City's historic resources and the existing home is an Irving Gill workman's house, of which there are few in the entire nation.

Vice-Chair Skoll stated that he also supports the granting of the Waiver and was pleased that the existing structure was being saved.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Chairperson Horwich).

MOTION: Commissioner Weideman moved for the approval of WAV10-00009, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Horwich).

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution No. 10-069.

MOTION: Commissioner Weideman moved for the adoption of Planning Commission Resolution No. 10-069. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote (absent Chairperson Horwich).

The Commission recessed from 8:16 p.m. to 8:29 p.m.

11. FORMAL HEARINGS

11A. CUP10-00017: SOUTH BAY COMMUNITY CHURCH (INSPIRED VENTURES, LLC)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a church and retail spaces in an existing warehouse building on property located in the M-2 Zone at 2545 190th Street.

Recommendation: Approval.

Planning Associate Gomez introduced the request.

Cliff Damavandi, Inspired Ventures, LLC, stated that he has been working on this project for over 9 months and was pleased to bring this concept, which combines a church with retail space, to Torrance. He voiced his agreement with the recommended conditions of approval.

Gary Shiohama, pastor of South Bay Community Church, provided background information about the church, noting that it has grown from 15 people to almost 700 members and the new church will allow them to expand their community outreach. He reported that the church was previously located down the street in the L.A. strip, but the offices have always been in Torrance. He called attention to the 30-40 people present in the audience in support of the proposed project.

Commissioner Busch asked about the retail aspect of the project, and Mr. Damavandi stated that he envisioned small “mom and pop” type shops.

Responding to questions from the Commission, Planning Manager Lodan advised that the zoning does not have to be changed since both the retail and the church uses are permitted in the M-2 Zone with approval of a Conditional Use Permit. He explained that staff supports the retail component because there is a lack of services

for the growing business park community along 190th Street and it is hoped that it will liven up this corridor.

Commissioner Busch stated that he really likes this novel mixed-use project and hopes to see more of it.

Commissioner Browning noted his concurrence with Commissioner Busch's remarks, relating his belief that the project would be a great improvement for the area. Referring to the large enthusiastic crowd of young people, he complimented the pastor on his ability to draw them to the church.

Responding to questions from the Commission, the project architect confirmed that handicapped parking requirements would be met and Planning Manager Lodan provided clarification regarding allowable retail uses. He noted that the project includes 4312 square feet of space for food/beverage establishments and that the sale of alcoholic beverages would require Planning Commission approval.

Mr. Damavandi reported that construction is estimated to take approximately nine months and potential tenants include a flower shop, a pizza place and a sushi restaurant.

Commissioner Weideman suggested that Condition No. 9 be amended for purposes of clarity.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote (absent Chairperson Horwich).

MOTION: Commissioner Browning moved for the approval of CUP10-00017, as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No.9 That beer and wine or alcoholic services shall require Planning Commission review ~~to the satisfaction of the Community Development Director.~~

The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution No. 10-071.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution No. 10-071 as amended. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote (absent Chairperson Horwich).

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. MISCELLANEOUS ITEMS

14A. MIS10-00286: GIUSEPPE SASSO

Planning Commission consideration of an appeal of a Community Development Director approval of a Minor Hillside Exemption to allow additions to an existing single-story residence on property located within the Hillside Overlay District in the R-1 Zone at 102 Via Sevilla.

Recommendation: Approval.

Planning Associate Gomez introduced the request.

Commissioner Weideman questioned why the proposed 1029 square-foot addition qualifies as a Minor Hillside Exemption. Planning Manager Lodan explained that the height of the project is the determining factor; that projects 14 feet or lower are approved via a Minor Hillside Exemption; and that projects over this height require a Precise Plan of Development.

Marie-Laure Ilie, 106 Via Sevilla, voiced objections to the proposed project, citing the impact on the view from her home office/studio where she and her husband spend much of their time. She reported that their view has already been impacted by the applicant's roof, which was changed from dark-colored shingles to bright orange tiles four or five years ago, and this project will add to the problem by extending the roof. She stated that they set up poles on the applicant's property to approximate the project's height, but they fear that the northwest corner could be higher due to the sloping ground. She related her belief that the applicant should be required to erect a certified silhouette. Referring to a diagram submitted for the record, she explained that she has suggested that the northwest corner of the addition be flattened to mitigate the view impact but the applicant rejected that suggestion claiming that it would destroy the home's symmetry, however, this is not a valid argument because the front of the home is not symmetrical. She requested confirmation that the new chimney will be no larger than the existing chimney.

Commissioner Busch requested clarification of her objections, and Ms. Ilie stated that the proposed addition would block her view of landscaping, with the Riviera Village in the background, and that the new roof would compound the problem of the glaring orange tile.

In response to Commissioner Busch's inquiry, Planning Manager Lodan advised that a certified silhouette is not required for a Minor Hillside Exemption and confirmed that the Hillside Overlay Ordinance does not address stylistic or design issues, such as the color of roof tiles, which are left to the homeowner's discretion.

Commissioner Browning explained that the Planning Commission is not an art jury and cannot deny a project because someone does not like the color of the roof.

Noting that he did not view the project from the appellants' home and the photographs submitted by them appear to have been taken from the back fence, Commissioner Weideman asked about staff's impression of the view impact from their

home office/studio. Planning Manager Lodan responded that staff did not observe any degradation of view from that area.

Giuseppe Sasso, 102 Via Sevilla, applicant, reported that he has been planning this addition for several years and was careful to design a project that minimizes the impact on all of his neighbors. He contended that the impact shown in the photographs submitted by the appellants was exaggerated because they were taken from the yard, which is lower than their home office/studio, and the pole used to represent the height of the project's northwest corner was a foot taller than the plans. He voiced his agreement with the recommended conditions of approval.

In response to Commissioner Weideman's inquiry, Mr. Sasso reported that the project includes one chimney for three fireplaces and it will be lower than the existing chimney because it will be on a lower portion of the structure.

Commissioner Browning noted that there are direct vent fireplaces that do not require a chimney should this become an issue.

Commissioner Weideman asked about Condition No. 3, which prohibits any kind of equipment on the roof of the addition. Planning Manager Lodan clarified that a chimney would not be considered "equipment" and noted that the Hillside Ordinance allows one chimney by right.

Commissioner Busch stated that having heard the testimony of both the appellant and the applicant, he believed the project does not violate the Hillside Ordinance and that the Community Development Director's approval should stand.

MOTION: Commissioner Busch moved to deny the appeal and approve MIS10-00286 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Browning, and discussion briefly continued.

Voicing support for the project, Vice-Chair Skoll stated that he read through the information submitted very carefully and did not find the appellants' arguments to be compelling.

Paul Ilie, 106 Via Sevilla, stated that he did not understand how this case could be decided without a certified silhouette showing the exact height of the project since there is a discrepancy over the height of the northwest corner.

Planning Manager Lodan reported that staff did not rely on the makeshift silhouette to determine the project's impact, explaining that their experience enables them to do this from the plans.

Mr. Ilie voiced his opinion that a certified silhouette should be required since 15% of neighbors asked to sign-off on the project object to it (1 out of 7).

Commissioner Weideman noted that as mentioned earlier, a Minor Hillside Exemption does not require a certified silhouette and it is not a matter of how many people or what percentage object to a project. He stated that he did not believe the appellants had made their case with regard to the Hillside Ordinance and the impact on

view did not meet his standards and criteria, therefore he would be voting to deny appeal and approve the project.

Vice-Chair Skoll called for the vote, and the motion passed by a 5-1 roll call vote, with Commissioner Gibson dissenting (absent Chairperson Horwich).

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution No. 10-070.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution No. 10-070. The motion was seconded by Commissioner Busch and passed by a 5-1 roll call vote, with Commissioner Gibson dissenting (absent Chairperson Horwich).

15. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Lodan reported that the expansion of the church on Hickman Drive was approved by the City Council on November 9 and that the proposed self-storage facility on Spencer Street was approved on November 23, but the Council decided not to approve the subdivision of lots along Hawthorne Boulevard due to concerns that it could limit future development and the interim storage of RVs was also eliminated.

16. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan reviewed the agenda for the December 15, 2010 Planning Commission meeting.

17. ORAL COMMUNICATIONS #2

17A. City Attorney Fellows noted that he had enjoyed attending tonight's meeting and was impressed by this Commission.

17B. Commissioner Busch expressed concerns that some commissioners need to complete AB1234 training by the end of the year and so far this training has not been scheduled.

City Attorney Fellows reported that the City Clerk is trying to arrange for an outside consultant to provide the training since the City Attorney's office is short-staffed. He advised that the legislation includes no penalty for not completing the training.

17C. Commissioner Busch commended Planning Associate Yolanda Gomez for the well written staff report on Agenda Item 9A.

17D. Commissioner Browning noted that he has submitted documentation confirming that he has taken the required AB1234 training, but expressed concerns that that he could be disqualified from reappointment if this is not accurately reflected in City records.

City Attorney Fellows advised that while the City Council does require Commissioner Certification training, AB1234 training has never been a consideration

when making commission appointments. He noted, however, that the Council has complete discretion in selecting appointees.

17E. Commissioner Browning reported that residents can sign up with the Police Department to have alerts sent to them via emails or text messages, but cautioned that there can be several alerts a day and having them sent to your cell phone could result in expensive text messaging charges.

17F. Vice-Chair Skoll commented that he enjoys serving on this Commission, because he learns something new at every meeting.

18. ADJOURNMENT

At 9:40 p.m., the meeting was adjourned to Wednesday, December 15, 2010 at 7:00 p.m.

Approved as Submitted January 19, 2011 s/ Sue Herbers, City Clerk
